

1 acceptance of service by March 12. (Doc. # 12). On March 11, 2014, the defendants filed a notice of
2 acceptance of service on behalf of defendants Cox, Foster, Owens, and Molnar. Service was not
3 accepted on behalf of defendant Carolyn Myles as she no longer works for the NDOC. (*See* doc. # 13).
4 Her last known address was separately filed under seal. (Doc. # 14).

5 In response, plaintiff errantly filed an objection regarding defendants' refusal to accept service
6 on behalf of Myles. (Doc. # 16). In response, defendants filed a motion to strike that objection. (Doc.
7 # 20).

8 It is clear that plaintiff has confused the appropriate timeline. The court's February 19, 2014,
9 order set the deadline for filing responsive pleadings as April 21, 2014. That date has not passed, and
10 plaintiff is not entitled to default. Her motion is denied.

11 Finally, plaintiff has filed a motion for permissive joinder. (Doc. # 17). Plaintiff seeks to add
12 her partner, Kimberly Boykins,¹ as a plaintiff in this case. Fed. R. Civ. P. 20(a)(1) permits potential
13 plaintiffs to join if "*they assert* any right to relief. . ." *See* Fed. R. Civ. P. 20(a)(1)(A) (emphasis added).
14 Ms. Boykins has not personally asserted any right to relief in this action, and Ms. Saintal may not join
15 her to the lawsuit unilaterally. The motion is denied.

16 Accordingly,

17 IT IS HEREBY ORDERED, ADJUDGED, and DECREED that plaintiff's motion for default
18 (doc. # 18) be, and the same hereby is, DENIED.

19 IT IS FURTHER ORDERED that defendants' motion to strike (doc. # 20) be, and the same
20 hereby is, GRANTED.

21 IT IS FURTHER ORDERED that plaintiff's objection in response (doc. # 16) be, and the same
22 hereby is, STRICKEN.

23 . . .

24 . . .

25
26 ¹ The motion is handwritten and messy. As far as the court can tell, plaintiff's partner's last name is Boykins.

1 IT IS FURTHER ORDERED that plaintiff's motion for joinder (doc. # 17) be, and the same
2 hereby is, DENIED.

3 DATED April 14, 2014.

4
5 
6 UNITED STATES DISTRICT JUDGE
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26